

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE SOUTHERN DISTRICT OF MISSISSIPPI

IN RE: CLARENCE O NEAL LEVERETTE, SR., CHAPTER 13
BANKRUPTCY NO.: 11-51548 KMS
ADVERSARY NO.: 12-05005

RESPONSE TO MOTION TO DISMISS (DK # 4)

BEFORE THE COURT COMES NOW, Clarence O Neal Leverette, Sr., by and through his undersigned attorney of record and files this his Response to the Motion to Dismiss (DK #4) and would respectfully say unto this Honorable Court that the stay was lifted, not annulled, therefore any and all damages which accrued to the debtor prior to the lifting of stay still exists and is actionable. In the event this creditor had not acted improperly, the debtor would have been able to have generated funds in order to exhibit to the Court his ability to fund the plan.

RESPECTFULLY SUBMITTED, this the 8th day of March, A.D., 2012.

/s/ JOHN H. ANDERSON

CERTIFICATE OF SERVICE

I, JOHN H. ANDERSON, do hereby certify that I have this day caused a true and correct copy of the above and foregoing Response to be forwarded via U. S. Mail and/or via Email postage prepaid to the Hon. J. C. Bell at Post Office Box 566 Hattiesburg, MS 39401 and via Email at mdg@jcbell.net ; Hon. Stephen A. Gardner at Post Office Box 23059 Jackson, MS 39225-3059 and Hon. Ronald McAlpin, Assistant U. S. Trustee at 501 East Court Street, Suite 6.430 Jackson, MS 39201 and via Email at ronald.mcalpin@usdoj.gov

Dated this the 8th day of March, A.D., 2012.

/s/ JOHN H. ANDERSON
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